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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
ETAN Industries, Inc. dba CMA Communications	)	File No.: EB-11-HU-0066
Cable System Operator	)	
Community Unit ID #: TX0409	)	NOV No.: V201132540003
Cleveland, Texas	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: September 13, 2011**

By the Resident Agent, Houston Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to section 1.89 of the Commission's rules<sup>1</sup> to ETAN Industries, Inc. dba CMA Communications ("CMA"), operator of a cable system in Cleveland, Texas.
2. On August 30, 2011, an agent of the Commission's Houston Office inspected the CMA cable system located in Cleveland, Texas, and observed the following violations:
  - a. 47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in § 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent observed signal leakage on the frequency of 121.2625 MHz at the following locations:
    - 1) Pole just south of 302 Charles Avenue 479 µV/m
    - 2) Pole at southwest corner of the intersection of Southline Street and Park Lane 128 µV/m

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<sup>1</sup>47 C.F.R. § 1.89.

## Federal Communications Commission

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3. Pursuant to section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and section 1.89 of the Commission's rules, CMA Communications, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the cable operator. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Houston Office  
9597 Jones Road, #362  
Houston, Texas, 77065

4. This Notice shall be sent to CMA Communications at its address of record.
5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Lee R. Browning  
Resident Agent  
Houston Office  
South Central Region  
Enforcement Bureau

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<sup>2</sup>47 U.S.C. § 308(b).

<sup>3</sup>P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup>18 U.S.C. § 1001 *et seq.*